

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ERROL RUDMAN, et al.,

USDC SDNY
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Plaintiffs,

-against-

15-cv-3773 (LAK)
and consolidated case

CHC GROUP LTD., et al.,

Defendants.

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ORDER

LEWIS A. KAPLAN, *District Judge*.

Plaintiffs have moved for an order, inter alia: (1) granting Preliminary Approval of a Proposed Settlement (the “Settlement”); (ii) granting conditional certification of the Settlement Class; (iii) granting approval of the form and manner of Notice of the Proposed Settlement to the Settlement Class; and (iv) setting a date for a Settlement Hearing and deadlines for the mailing and publication of the Notice, the filing of Settlement Class Member objections, the filing of Settlement Class Member opt-out notices, the filing of Lead Plaintiffs’ motion for final approval of the Settlement, and the filing of Lead Counsel’s application for attorneys’ fees and expenses. (15-cv-3773 DI 58, 15-cv-3796 DI 40)

This Court does not grant “preliminary approval” of proposed class action settlements, as such characterizations, made before full consideration of a proposed settlement, risk conclusions on the part of absent class members that the deck is stacked against them even before they have had an opportunity to object and be heard. Accordingly, the motions are denied without prejudice to renewal in the event the parties revise the settlement agreement to eliminate any requirement of preliminary approval and make corresponding changes in the proposed notices.

SO ORDERED.

Dated: May 25, 2017



Lewis A. Kaplan
United States District Judge